

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JIMMIE LEWIS,)	
)	
Plaintiff,)	C.A. No.: 04-1350 (GMS)
)	
v.)	
)	
SYLVIA FOSTER, LANCE SAGERS,)	
DAVE MOFFITT, R. GRAY,)	
MR. JOHNSON, JOHN JOE,)	
)	
Defendants.)	

**DEFENDANT DR. SYLVIA FOSTER'S RESPONSE TO CO-DEFENDANTS'
COUNSEL'S MOTION TO WITHDRAW AND FOR APPOINTMENT
OF CONFLICT COUNSEL FOR CO-DEFENDANTS**

COME NOW, Defendant, Dr. Sylvia Foster, by and through her undersigned counsel and responds to Co-Defendants' Counsel's Motion to Withdraw and For Appointment of Conflict Counsel for Co-Defendants, and in support thereof, avers the following:

1. Defendant, Dr. Sylvia Foster, takes no position regarding co-defendants' counsel's request to withdraw and for appointment of conflict counsel for co-defendants.

REGER RIZZO KAVULICH & DARNALL LLP

/s/ Louis J. Rizzo, Jr.
Louis J. Rizzo, Jr., Esquire
Delaware State Bar I.D. No. 2565
Ronald W. Hartnett, Jr., Esquire
Delaware State Bar I.D. No. 4497
1001 Jefferson Plaza, Suite 202
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(302) 652-3611
Attorney for Defendant Dr. Sylvia Foster

Dated: October 22, 2007

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Plaintiff,)	C.A. No.: 04-1350 (GMS)
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SYLVIA FOSTER, LANCE SAGERS,)	
DAVE MOFFITT, R. GRAY,)	
MR. JOHNSON, JOHN JOE,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify on this 22nd day of October, 2007 that a true and correct copy of Defendant Dr. Sylvia Foster's Response to Co-Defendants' Counsel's Motion to Withdraw and For Appointment of Conflict Counsel for Co-Defendants has been served electronically and/or by first class mail, postage prepaid, to the following:

Jimmie Lewis
SBI #00506622
1901 North DuPont Highway
Delaware Psychiatric Center
New Castle, DE 19720

Gregory E. Smith, Esquire
Deputy Attorney General
820 North French Street, 7th Floor
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Wilmington, DE 19801

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